

ORIGINAL

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December 4, 2007

By Facsimile

Honorable Victor Marrero
United States District Judge
United States Courthouse
500 Pearl Street, Room 630
New York, New York 10007-1312

Re: *Biele v. AT&T Pension Plan et al*
07 Civ. 588 (VM)

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 1-4-68
DATE FILED: 1-4-08

Dear Judge Marrero:

We represent the plaintiff in the referenced action. Pursuant to Your Honor's November 5, 2007 Conditional Order of Discontinuance and subsequent Order extending time provided in the initial Order to January 4, 2008, plaintiff hereby requests restoration on this action to the active calendar or a further extension to February 7, 2008. The parties have reached agreement on the terms of a settlement. The settlement agreement has been signed by plaintiff and myself and forwarded to defendants.

We are awaiting a copy of the settlement agreement executed by defendants and the payment required thereby. However, by the terms of the settlement agreement, those need not occur until January 31, 2008.

Thank you for your Honor's attention to this matter.

Respectfully submitted,
Rosen Preminer & Bloom LLP

By:

David S. Preminer

cc. Kristine J. Feher, Esq. by facsimile

Request GRANTED. The Conditional Order of Discontinuance herein is amended to extend until 1-7-08 the date by which plaintiff may restore the action to the Court's active calendar.

SO ORDERED.

1-4-08
DATE

VICTOR MARRERO, U.S.D.J.